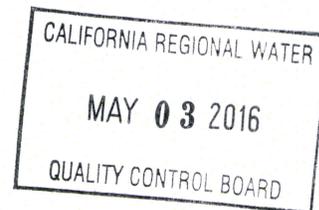


April 28, 2016

Via email and U.S. Mail

Dyan Whyte, Assistant Executive Director
San Francisco Bay Regional Water Quality
Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612



Dear Ms. Whyte:

Thank you for your letter dated April 19, 2016 responding to my March 30 letter. The Santa Clara Valley Water District (District) appreciates both that Regional Water Quality Control Board (Regional Board) staff no longer plans to bring a tentative order for waste discharge requirements (WDR) before your Board this June, and your offer to provide an administrative draft Tentative Order to the District for review and comment, prior to release for public comment. However, the District still does not understand the underlying reasoning behind asking the Regional Board to consider a tentative WDR in July, and so we again ask that this matter be deferred for the time being.

The District has not, as your letter suggests, agreed that the Regional Board should consider a tentative WDR in June, July, or any other time this year. The District would prefer to devote its resources during this time toward assisting the United States Army Corps of Engineers (USACE) in meeting the tight project schedule. Because the District is not currently proposing a discharge, we do not perceive, and your letter does not offer, any reason why a WDR process needs to occur at this time.

Your suggestion that the Regional Board could just "condition" the WDR now, so as to allow for the USACE subsequent Operation and Maintenance (O&M) requirements to be "incorporate[d]" into the WDR later, is unnecessarily complicated. As your letter acknowledges, construction of the project will not conclude until December 2017 at the earliest, and the USACE will be developing an O&M manual during that time. Rather than considering a WDR, and potentially having to revise it once the O&M manual is available, a more prudent course of action would be for the Regional Board and the District to wait until the O&M manual is available. At that time, whether and how to address any discharges that might be proposed can be assessed, and a WDR can be considered just once.

I look forward to your response on this issue.

Sincerely,

A handwritten signature in black ink that reads "Melanie Richardson". The signature is written in a cursive style.

Melanie Richardson, P.E.
Acting Chief Operating Officer - Watersheds

cc: N. Camacho, C. Hakes, J. Nam, J. Manidakos, File

